

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

ANDRE JUSTE 078-367-619,)
Petitioner,)
)
v.) 2:18-cv-922
)
WARDEN OF IMMIGRATION DETENTION)
FACILITY, et al.,)
Respondents.)

MEMORANDUM and ORDER

Andre Juste an inmate at the Buffalo Federal Detention Facility has presented a petition for a writ of habeas corpus which he has been granted leave to prosecute in forma pauperis.

In his petition Juste alleges that he is in custody of ICE at the Buffalo Federal Detention facility located in Genesee County, New York. He contends that he arrived in the United States on March 31, 1993 from the Netherlands and became a lawful permanent resident of the United States. He is now being held for deportation as a result of state criminal charges. The petition filed pursuant to 28 U.S.C. § 2241 seeks his immediate release from custody.

It is provided in 28 U.S.C. § 1404(a) that:

For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought ...

The petitioner is being held in custody by the Department of Homeland Security at its facility located in Batavia New York which is located in Genesee County, New York which is within the jurisdiction of the United States District Court for the Western District of New York. Because both the petitioner and his custodian are located in Genesee County, and presumably the relevant records are also located there, it would be in the interest of justice to transfer this case to that court.

Accordingly, IT IS ORDERED that on or before August 15, 2018, the petitioner show cause, if any, why the petition should not be transferred.

Filed: July 19, 2018

s/ Robert C. Mitchell
United States Magistrate Judge

